



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 265** SLS 18RS 474
Bill Text Version: **REENGROSSED**
Opp. Chamb. Action: **w/ HSE COMM AMD**
Proposed Amd.:
Sub. Bill For.:

Date: May 1, 2018	6:11 PM	Author: MORRELL
Dept./Agy.: Dept. of Public Safety/Office of State Fire Marshal		
Subject: Required Elevator Access at Multistory Courthouses		Analyst: Ryan Guidry

COURTS RE1 INCREASE GF EX See Note Page 1 of 1
Provides for minimum standards for elevator access to multistory courthouses for the disabled community. (8/1/18)

Proposed law provides that any courthouse shall be made accessible pursuant to ADA Standards subject only to the limitations or exceptions provided for in present law. Proposed law further provides that any multistory courthouse shall have at least one-half of all of its elevators in proper working service at all times and shall be made accessible in accordance with the ADA Standards and rules promulgated by the fire marshal pursuant to the APA. Proposed law provides that the owner of the multistory courthouse shall contact the elevator repair company within 24 hours of the elevator becoming inoperable and that no elevator shall remain out of service for repair and maintenance for more than 21 consecutive days per malfunction unless the state fire marshal determines extenuating circumstances that necessitate an extension. Proposed law provides that failure to comply with proposed law shall be considered a "defacto admission of fault" under the ADA Standards. Proposed law provides the natural or juridical person who owns the building is responsible for elevator maintenance. Proposed law provides that any building owner who violates or fails to comply with the provisions of proposed law shall be subject to a fine of \$2,500 per day which shall be paid by the owner of the building.

EXPENDITURES	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

EXPENDITURE EXPLANATION
Proposed law will increase expenditures for the state and local governments.

Proposed law requires that every multistory courthouse shall have one-half of all of its elevators in proper working service at all times. The owner of the multistory courthouse shall contact the elevator repair company within 24 hours of the elevator becoming inoperable and that no elevator shall remain out of service for repair and maintenance for more than 21 consecutive days per malfunction, unless the state fire marshal determines that extenuating circumstances necessitate an extension. Furthermore, a \$2,500 per day fine is applicable for any violation of the proposed law in addition to any penalties that exist in current law. Proposed law would result in a penalty of \$2,500 per day for any multistory courthouse in violation of proposed law. This penalty would be paid by the natural or juridical person who owns the building.

The Office of the State Fire Marshal (OSFM) does not perform regular inspections of courthouse elevators and instead would rely on the reporting of violations. When a violation is reported, OSFM would perform an investigation and would assess penalties for violations accordingly. These penalties would apply to all multistory courthouses owned by state, local municipalities, and any other natural or juridical person. The OSFM has no authority for enforcement in regards to federal courthouses.

Additionally, proposed law adds all courthouses to the list of those buildings that must be made accessible pursuant to ADA Standards and subject to limitations provided for in present law. The OSFM reports that current ADA standards apply only to new construction and alterations to existing structure, and therefore this portion of proposed law would not have any expenditure impact on existing courthouses.

REVENUE EXPLANATION
Proposed law will increase SGR for the Office of the State Fire Marshal by \$2,500 per day for each violation at any multistory courthouse owned by the state, local municipalities, or any other respective owner.

Senate	Dual Referral Rules	House	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	<u>Evan Brasseaux</u>
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	Evan Brasseaux Staff Director